

SMART & BIGGAR*Intellectual Property & Technology Law*

To Fax no.: 703 872 9306; and
571 273 3169

P.O. Box 2999, Station D
55 Metcalfe Street, Suite 900
Ottawa, Canada K1P 5Y6

Page 1 of: 13

Attention: EXAMINER ROBERT C. SCHEIBEL

Tel.: (613) 232-2486
Fax: (613) 232-8440

From: SMART & BIGGAR
MR. JAMES McGRAW

Your file no.: 09/708,046

Date: January 27, 2005

Reply to Ottawa file no.: 71493-885

Time:

Re: U.S. Patent Application
Serial No. 09/708,036
Inventor: Mark S. Wight et al
Applicant: Mark S. Wight et al
METHOD OF ADDRESSING PHYSICAL PROBLEMS
OF A TOPOLOGICAL NETWORK USING A TOPOLOGY ENGINE

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With reference to telephone instructions received today from Examiner Robert Scheibel, enclosed herewith is a copy of a response to a final action which was filed by Smart & Biggar by fax on January 21, 2005. Also enclosed is a copy of Smart & Biggar's fax cover sheet of January 21, 2005 showing that the 10 pages were confirmed sent together with a copy of the Auto-Reply Facsimile Transmission form received from the U.S. Patent Office on January 21, 2005 advising Smart & Biggar that 10 pages (including the cover page) were received.

Yours very truly

SMART & BIGGAR

James McGraw

JMc/wfs

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10 (including cover page)

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Page 1 of:	10		Tel.: (613) 222-2486 Fax: (613) 232-8440	
Attention:	MAILSTOP AF (Examiner Arthur C. Scherzer - Group Art Unit 2000) Mr. James McGraw		Date: January 21, 2005	
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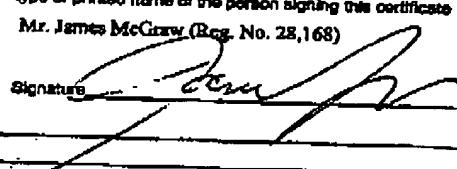
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NAME/NUMBER : 17038729306
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 START TIME : JAN-21-2005 04:00PM FRI
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SMART & BIGGAR
Intellectual Property & Technology Law

To Fax no.: (703) 872-9306 P.O. Box 2999, Station D
 Page 1 of: 10 55 Metcalfe Street, Suite 900
 Ottawa, Canada K1P 5Y6
 Attention: MAILSTOP AF Tel.: (613) 232-2486
 (Examiner Robert C. Schreibel -
 Group Art Unit 2666) Fax: (613) 232-8440
 From: Mr. James McGraw
 Your file no.: 09/708,036 Date: January 21, 2005
 Reply to Ottawa file no.: 71493-885 Time:

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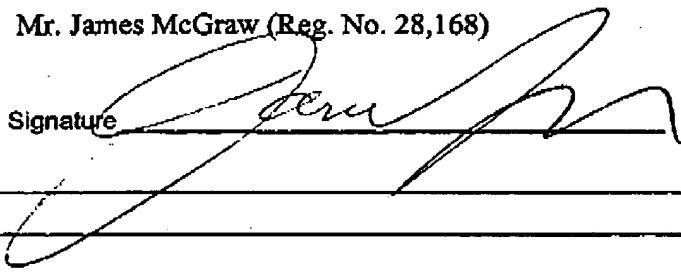
SMART & BIGGAR
Intellectual Property & Technology Law

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Page 1 of: 10 55 Metcalfe Street, Suite 900
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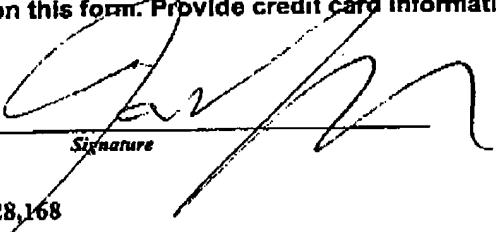
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AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): MARK S. WIGHT, ET AL				Docket No. 71493-885/aba																																					
Application No. 09/708,036	Filing Date November 8, 2000	Examiner Robert C. Schibel	Customer No. 07380	Group Art Unit 2666	Confirmation No. 8046																																				
Invention: METHOD OF ADDRESSING PHYSICAL PROBLEMS OF A TOPOLOGICAL NETWORK USING A TOPOLOGY ENGINE																																									
COMMISSIONER FOR PATENTS: <p>Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="6" style="text-align: center; padding: 2px;">CLAIMS AS AMENDED</th> </tr> <tr> <th style="width: 15%;"></th> <th style="width: 25%; text-align: center; padding: 2px;">CLAIMS REMAINING AFTER AMENDMENT</th> <th style="width: 15%; text-align: center; padding: 2px;">HIGHEST # PREV. PAID FOR</th> <th style="width: 20%; text-align: center; padding: 2px;">NUMBER EXTRA CLAIMS PRESENT</th> <th style="width: 10%; text-align: center; padding: 2px;">RATE</th> <th style="width: 10%; text-align: center; padding: 2px;">ADDITIONAL FEE</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">TOTAL CLAIMS</td> <td style="text-align: center; padding: 2px;">17 -</td> <td style="text-align: center; padding: 2px;">20 =</td> <td style="text-align: center; padding: 2px;">0</td> <td style="text-align: center; padding: 2px;">x \$50.00</td> <td style="text-align: center; padding: 2px;">\$0.00</td> </tr> <tr> <td style="padding: 2px;">INDEP. CLAIMS</td> <td style="text-align: center; padding: 2px;">3 -</td> <td style="text-align: center; padding: 2px;">3 =</td> <td style="text-align: center; padding: 2px;">0</td> <td style="text-align: center; padding: 2px;">x \$200.00</td> <td style="text-align: center; padding: 2px;">\$0.00</td> </tr> <tr> <td colspan="5" style="padding: 2px;">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td> <td style="text-align: center; padding: 2px;">\$0.00</td> </tr> <tr> <td colspan="5" style="padding: 2px; text-align: right;">TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</td> <td style="text-align: center; padding: 2px;">\$0.00</td> </tr> </tbody> </table>						CLAIMS AS AMENDED							CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	TOTAL CLAIMS	17 -	20 =	0	x \$50.00	\$0.00	INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00	Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
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TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00																																				
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. 19-2550 in the amount of \$50.00. <input type="checkbox"/> A check in the amount of \$50.00 to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-2550 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card, Form PTO-2038. <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																																									
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Dated: January 21, 2005																																									
James McGraw Registration No. 28,168 CUSTOMER NO. 07380																																									
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/708,036 Confirmation No. 8046
Applicant : Mark S. Wight et al
Filed : November 8, 2000
TC/A.U. : 2666
Examiner : Robert C. Scheibel

Docket No. : 71493-885
Customer No. : 07380

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Commissioner for Patents
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Dear Sir:

In response to the Office action of December 14, 2004, please amend this application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.